THE IMPACT OF SOCIAL FORCES ON AMERICAN INSTITUTIONS

Robert Stanley Rosen

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THESIS

THE IMPACT OF SOCIAL FORCES
ON AMERICAN INSTITUTIONS

by

Robert Stanley Rosen

June 1975

Thesis Advisor: Richard S. Elster

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The Impact of Social Forces on American Institutions

by

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Submitted in partial fulfillment of the
requirement for the degree of

MASTER OF SCIENCE IN MANAGEMENT

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I. INTRODUCTION

America is experiencing a social revolution led by the changing cultural values of the youth of the nation. The social revolution is an outgrowth of the countercultural values developed on America's college campuses in the 1960's. The impact of this social revolution on society, and on the work place in particular, over the next few years will be profound. [Yankelovich]

American organizations are not sure how to react to the pressures of social change being brought to bear on them by various groups in America. The problem involves first, a policy decision by top management recognizing that the organization has social responsibilities to society. Secondly, there is the problem of defining these responsibilities. Following the definition, the organization must set goals and objectives. The final and most difficult steps are: modifying the organizational structure to implement a policy of social responsibility and setting dollar values in a budget for social responsibility goals.

The white male majority in America--in part through a process of discrimination for a period of almost 200 years--has benefited from a substrata of lesser-enfranchised minority groups. During this period, minority groups have achieved varying degress of economic, political, educational, and social enfranchisement through gradual social, judicial and legislative evolution towards equality of opportunity. The

evolutionary change process, painfully slow to the affected minority groups, had a secondary result--the white male majority generally did not perceive themselves threatened by the gains achieved by the minorities. The gains made by the minority were not, of course, achieved solely at the expense of the majority. Their gains were, for the most part, fostered by a growing America; e.g., the physical size, population, economy, and number of minority groups were steadily increasing; and thus had minimal impact on the majority.

A confluence, during the period 1964-1975, of the following interrelated factors: the advent of the mass communications media (television in particular); the increased number of minority students in higher educational institutions; the trend towards a more youth-oriented population; the emergence of a post-industrial, service-oriented, stationary-state economy; and the quickened tempo of life in general (and social change in particular)--has resulted, inter alia, in a more liberalized society and in a society where many white males and others perceive themselves as threatened by minority groups as a result of the process of reverse discrimination.

The problem, greatly simplified, is to what extent, if any, should one group be discriminated against (through reverse discrimination) in society's attempt to provide equal opportunities for another group. Is justice being served fairly when minority quotas for hiring, promotions, admissions, etc., result in reverse discrimination against the majority?

Supreme Court Justice Learned Hand stated, "Justice, I think, is the tolerable accommodation of the conflicting interests of society, and I don't believe there is any royal road to attain such accommodations concretely." [Harvard Business Review, May-June 1971, p. 90]

This thesis will describe the historical background of the concept of equality as it relates to institutional social responsibility in America; identify and discuss endogenous and exogenous social forces that are causing policy changes in public and private institutions; describe how institutions have reacted to the forces of social change; identify and discuss the problems created by these reactions; and draw conclusions and make recommendations to assist organizations in affecting required changes.

II. A HISTORICAL OVERVIEW OF EQUALITY IN AMERICA

Between 1776 and 1975 there were many attempts to proclaim equality for individuals and groups through Constitutional decree, Executive decree, Legislative decree, and Judicial decree. Despite these attempts, the American society--that proclaimed loudly its belief in freedom, justice and equality--remained reluctant to grant these "rights" to nonwhites and women.

The reasons for society's reluctance to provide the promised equality are numerous, complex, and interrelated. The many barriers erected to thwart the attainment of social, economic, and political equality for minorities and women were the result of the conscious and subconscious desires of individuals and groups, who were in a favored position, to maintain their favored position in relation to those individuals and groups who were relatively disadvantaged. The moral and ethical considerations of an inherently unjust and discriminatory policy were probably rationalized on philosophical grounds by a form of social Darwinism; i.e., the survival-of-the-fittest doctrine (with an assumption that women and nonwhites were less fit than white males).

A. ATTEMPTS TO PROCLAIM EQUALITY IN THE DECLARATION OF INDEPENDENCE AND THE CONSTITUTION

The philosophical concept of equality that most influenced America's founding fathers was that of the late

Seventeenth Century Enlightenment philosopher, John Locke. Locke's ideas that God's Natural Law provides that all rational men are equal and independent and that they have a right to life, health, liberty, and possessions, are expressed in The Declaration of Independence. [Locke]

Implicit in The Declaration of Independence and the Constitution are some of Locke's other concepts: that each individual in society enters into an explicit or implied social contract with his government to ensure these rights, that only those rights which are absolutely necessary for the general good are voluntarily given up to the government whose purpose and reason for existence is the promotion of the good of mankind, and that government is a necessary evil that is best when it governs least. [Locke]

The Declaration of Independence states, "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness..." [The Declaration of Independence and The Constitution of the USA, p. 1]. It would be logical to surmise that the founding fathers, who valued individual equality so highly, would incorporate it into the Constitution. Such was not the case.

The founding fathers of America were great philosophers, moralists, legalists--but above all, pragmatists. In a report of the Constitutional Convention, addressed to the Congress,

dated September 17, 1787, George Washington, President of the Constitutional Convention stated:

> It is obviously impracticable in the foederal [sic] government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all-Individuals entering into society, must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance, as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights which must be surrendered, and those which may be reserved; and on the present occasion this difficulty was encreased by a difference among the several States as to their situation, extent, habits, and particular interests. [The Declaration of Independence and The Constitution of the USA, pp. 23-24]

Recognizing the pluralistic nature of the people in the thirteen original states, and mindful that, "...the greatest interest of every true American, (was) the consolidation of the Union, ..." [The Declaration of Independence and The Constitution of the USA, p. 1]; the framers of the Constitution deliberately avoided specific issues which were concerned with individual equality, with one exception. Article I, section 9, of the Constitution states that, "No title of nobility shall be granted by the United States" and further, "that no government officer shall accept a title without the consent of the Congress." [The Declaration of Independence and The Constitution of the USA, p. 16]

The founding fathers recognized that in the several states there was a great variance in the degree to which individuals were granted equality. In general terms, there was only

equality among the rich, educated, landed, white, male, gentry. The poor, blacks, women, and the uneducated, suffered unequal political, social, economic and educational opportunities and status in the latter part of the Eighteenth Century in America. In fact, there were approximately half a million slaves in America in 1776--or one out of every six persons was a slave. [Grimes, p. 45]

Slavery was abolished by the Thirteenth Amendment to the Constitution in 1865, and blacks were given freedom but not equality. In 1868, the Fourteenth Amendment guaranteed all citizens of the United States, inter alia, equal protection of the laws. The Fifteenth Amendment, ratified in 1869, gave political equality to all citizens except women. It was not until 1920 that women were given political equality; i.e., the right to vote. A form of economic equality was proclaimed by the Twenty-fourth Amendment, in 1964, when poll taxes or other taxes were forbidden as prerequisites to vote in any primary or election for President or Vice President, for electors for President or Vice President, or for Senators or Representatives in Congress. [The Declaration of Independence and The Constitution of the USA, pp. 31-40]

The Fifth Amendment states that, under federal law, no person shall be deprived of life, liberty, or property, without due process of law. [The Declaration of Independence and The Constitution of the USA, p. 31] The Fourteenth Amendment states that no State shall deprive any person of life,

liberty, or property without due process of law. [The Declaration of Independence and The Constitution of the USA, p. 34] Judicial interpretation of these two amendments have allowed unequal treatment under the law in certain specific cases:

> Under present law, based on the 5th and 14th Amendments to the U.S. Constitution, differential treatment is permitted whenever the state advances reasons considered rational by the Supreme Court. For example, in 1974, Professor Ginsburg lost a case when the Supreme Court upheld a Florida statute granting a real-property tax break to widows--on the basis that, traditionally, women have been more economically hurt by the loss of a husband than a man has been by the loss of a wife. [Jones, p. 14]

Judicial interpretation of the Constitution has, for a relatively short period of time, allowed men to be discriminated against in divorce courts; but for a much longer period of time allowed women and minorities to be discriminated against in the majority of other instances. "Federal and state statutes are replete with sex-based references. For example, in some states only wives are eligible to receive alimony. And in some states, the age at which a female may marry is different from that at which a male may wed." [Jones, p. 14]

In 1972, Congress proposed an Equal Rights Amendment (ERA). The pertinent section of the ERA states, "Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." [The World Almanac 1975, p. 728] As of the writing of this thesis, 34 of the required 38 states have ratified the proposed ERA. The proposed Amendment also contains a two year delay on effectiveness

after ratification, to permit legislatures to remove sex-based references from their statutes. [The World Almanac, 1975, p. 728]

It is evident that, to date, equality is not guaranteed under judicial interpretation of the Constitution. For this reason and because of changing public attitudes--primarily shaped by the civil rights movement of the early 1960's--Congress, in 1964, felt it necessary to attempt to legislate individual equality.

B. ATTEMPTS TO LEGISLATE EQUALITY

The Civil Rights Act of 1964 was a major attempt--but not the first attempt--by Congress to legislate equality. Even before Congress came into existence, "In 1772, the Virginia House of Burgesses petitioned the Crown to cease disallowing legislation which checked the slave trade, for: 'The importation of slaves into the Colonies from the coast of Africa, hath long been considered as a trade of great inhumanity, and under its present encouragement, we have too much reason to fear will endanger the very existence of your Majesty's American dominions.'" [The Federalist quoted in Grimes, p. 57]. Congress, in 1807, enacted legislation which legally ended the importation of slaves to America. [Grimes, p. 46] But, no Congressional legislation on equality was enacted until 1875, when Congress passed a public accommodations act stating, inter alia, "We recognize the equality of all men before the

law, and hold it as the duty of government in all its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political." [Grimes, p. 56] The act provided penalties for those convicted of denying, "The full and equal enjoyment of the accommodations, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement." [Grimes, p. 56] Grimes states that in the seven Civil Rights cases of 1883, based on the Act of 1875, "The Supreme Court found that the law was unconstitutional since the Fourteenth Amendment was binding only upon states, not upon individuals (or private establishments or business) and Congress lacked the authority to pass general legislation on the subject." [Grimes, p. 56] The Civil Rights Act of 1875 was the last Congressional civil rights legislation until 1957 when Congress created a temporary six-member Civil Rights Commission to investigate, report, and make recommendations on racial discrimination in America. [Grimes, p. 81]

Passage of the Civil Rights Act of 1964 was the result of social pressures brought to bear by black inspired civil rights demonstrations (widely publicized by the mass media), by student unrest (resulting from their changing values), and by relatively liberal judicial, executive, and legislative branches of government.

Title VII of the Civil Rights Act of 1964 prohibits employers, unions, employment agencies, and joint labor

management committees controlling apprenticeship or other training programs from discrimination in hiring and discharging; in compensation, terms, conditions or privileges of employment; in classifying; in assigning or promoting employees; in extending or assigning use of facilities; and in admission to training, retraining, or apprenticeship programs. [Wallace, p. 157] This act is administered by the U. S. Equal Employment Opportunity Commission (EEOC). "The Equal Employment Opportunity Act of 1972 has amended Title VII by expanding its coverage to include employees of state and local governments and of educational institutions, as well as private employment of more than fifteen persons." [Wallace, p. 157] Prior to 1972, the Civil Service Commission was responsible for the equal rights of all federal employees through the implementation of Executive Order (E.O.) 11246 as amended by E.O. 11375 (prohibiting employment discrimination by federal government contractors, subcontractors, and federally assisted construction contractors) and E.O. 11478. In 1972, federal employees were brought under Title VII of the Civil Rights Act of 1964. [Wallace, p. 158]

Prior to 1972, the EEOC did not have enforcement powers and had to investigate and attempt conciliation of complaints alleging discrimination. "The Commission referred to the U. S. Attorney General selected cases involving a pattern or practice of discrimination and filed as a friend of the court in private actions." [Wallace, p. 158] The EEO Act of 1972

provided the EEOC with court enforcement authority by authorizing the EEOC to bring civil action suits against nongovernmental respondents. [Wallace, p. 158]

"An Equal Employment Opportunity Coordinating Council (EEOC, Secretary of Labor, Attorney General, Civil Service Commission, and Civil Rights Commission) has been established to develop and implement agreements, policies, and practices of federal agencies responsible for equal employment activities." [Wallace, p. 163]

C. ATTEMPTS TO DECREE EQUALITY THROUGH EXECUTIVE ORDER

Executive Order 8802--issued by President Franklin D. Roosevelt in 1941--established the first Fair Employment Practices Commission (FEPC). The committee, consisting of five men, was authorized to receive and investigate complaints of discrimination, to take appropriate steps to redress valid grievances, and to recommend to federal agencies and to the President measures deemed necessary to carry out the order. ["Pro and Con, Congress and EEOC Enforcement Power"]

In 1943, President Roosevelt issued E.O. 9346 establishing a new commission. It had jurisdiction over all government contractors and employment by the Federal Government; but its powers were limited to negotiation and moral suasion through public opinion. The authority for this commission expired in 1946. ["Pro and Con, Congress and EEOC Enforcement Power"] "The imperatives of high morale and full employment which had

given some promise of equal rights in time of war seemed no longer essential to many whites in time of peace." [Grimes, p. 70]

Presidents Truman and Eisenhower issued various executive orders concerning discrimination in employment; but their efforts were limited to the establishment of committees to receive complaints and make recommendations on the subject. They did not have enforcement powers. ["Pro and Con, Congress and EEOC Enforcement Power"]

President Kennedy, noting the impotence of previous executive orders, issued E.O. 10925, in 1961, creating a President's Committee on Equal Employment Opportunity and giving it the mandate to take "Affirmative Action" to eliminate discrimination in employment. The committee was limited to carrying out EEO policy in government and government procurement contracts. ["Pro and Con, Congress and EEOC Enforcement Power"] This was no mean limitation since the federal government has a tremendous impact on society by virtue of its position as the single largest user of goods and services in the economy. For example, "In the year ending June 30, 1974, more than $50 billion in federal contracts were awarded to nonconstruction firms that together employed about 25 million persons." ["Slow Action on Bias Assailed"]

Under the concept of "Affirmative Action" contractors having contracts with the federal government are required to:

> (1) Make a positive and effective effort to attract qualified or trainable employees from minority and disadvantaged groups.

(2) Encourage such employees to take advantage of advancement opportunities.

(3) Prepare Affirmative Action Plans on an annual basis.

(4) Establish goals and timetables whereby affirmative action can be evaluated.

(5) Maintain a system for recording progress of minorities and other disadvantaged groups. [Robinson, p. 68]

President Johnson issued E.O. 11246 in 1965 transferring EEO functions to the Labor Department. The Secretary of Labor established the Office of Federal Contract Compliance to meet the requirements of this E.O. Executive Order 11375, issued in 1967 by President Johnson, modified E.O. 11242 to add sex as a forbidden basis of discrimination. [Robinson, p. 68]

D. ATTEMPTS TO DECREE EQUALITY THROUGH JUDICIAL ORDER

The Supreme Court, through its power of Judicial Review, has evidenced a slow and persistent, but not necessarily consistent, evolution in its constitutional interpretations towards a more liberal and universal doctrine of equality. Its conservatism was evident when it found the Public Accommodations Act of 1875 unconstitutional, thereby limiting the application of the Fourteenth Amendment to states and not to individuals, private establishments, or businesses. [Grimes, p. 56] Similarly, enforcement legislation for the Fifteenth Amendment was found to be unconstitutional in 1876. [Grimes, p. 57]

In 1896, a majority of the Supreme Court found in Plessy v. Fergusen that a "Jim Crow" law based on a "Separate but Equal" doctrine, requiring separate railway coaches for whites and Negroes in Louisiana, was not incompatible with the rights granted under the Fourteenth Amendment. [Grimes, p. 57]

The "Separate but Equal" doctrine was rejected in 1954 when the (Warren) Supreme Court unanimously held in Brown v. Board of Education that, "Separate educational facilities are inherently unequal." [Grimes, p. 67]

Since 1954 the Supreme Court has, "With remarkable consistency, struck down racially discriminatory barriers in a variety of areas." [Grimes, p. 79] It still took ten years of direct action by disillusioned blacks and liberals--demonstrations, picketing, sit-ins, economic boycotts, and mass arrests--to prompt Congress to enact the Civil Rights Act of 1964. [Grimes, p. 80]

The following statement indicates how far the Supreme Court had come by 1971 in its swing towards a liberal interpretation of equality:

> The Supreme Court ruled in 1971 that any job requirement which in practice excludes more members of some groups than others must be proved by an employer to be directly related to job performance. The court was interpreting a provision of the Civil Rights Act of 1964, whose wording was due to Senator Tower of Texas, and whose intent was the opposite--to insure than [sic, that] an employer be free to use any reasonable uniformly applied test based on intelligence, character or credentials. [Sherman]

Recently, various state and federal judges throughout the country have started to question the goal or quota aspects of affirmative action programs. For example, in California, the City of Berkeley's affirmative action program, adopted in 1972 in order to provide more jobs for minorities, was declared unconstitutional by Superior Court Judge Lyle Cook on the grounds that, "The city's equal opportunity hiring program represented reverse discrimination and violated the Constitution's equal protection clause, the Civil Rights Act of 1964 and the city charter." ["Minority Hiring Plan Ruled Unconstitutional"] Judge Cook stated in February 1975:

> Those portions of the program that provide for racial quotas, noncompetitive examinations and preferential hiring based on race or sex to the exclusion of merit, experience and record, must be deemed arbitrary and discriminatory, ...
>
> New invidious discrimination must not be used to heal the wounds of old invidious discrimination. ["Minority Hiring Plan Ruled Unconstitutional"]

The Supreme Court has not been as clear on the question of equality during the past five years as could be desired. In Contractors Ass'n. of Eastern Pa. v. Secretary of Labor, 1971, where the contractors argued that the, "Philadelphia Plan" to impose remedial quotas to increase minority employees in the construction trades on federally funded projects, was in violation of the law (EEO Act of 1964); the Supreme Court rejected the argument.[Grossman, p. 373] Grossman states:

> In essence the court affirmed the legality and constitutionality of executive orders and affirmative action programs which required employers who come within their terms to be color-conscious.

> The court's rationale was that Congress did not intend Title VII of the Civil Rights Act of 1964 to preempt provisions of executive orders of the President prescribing fair employment practices. [Grossman, p. 373]

But, in the same year (1971), Chief Justice Burger in Griggs et al. v. Duke Power Co. said:

> Congress did not intend by Title VII, however, to guarantee a job to every person regardless of qualifications. In short, the Act does not commend that any person be hired simply because he was formerly the subject of discrimination, or because he is a member of a minority group. [Grossman, p. 374]

The Supreme Court has elected in recent years not to review many cases where the issues of discrimination, merit, and equality have been the primary issues. The Court has thus avoided setting a definitive policy to guide state and lower federal courts on these matters. In April 1974, what would have been a landmark case in reverse discrimination--De Funis v. Odegaard--was declared moot, by the Supreme Court, and not reviewed. [De Funis, p. 4579] In April 1975, "The Supreme Court refused to review two cases concerned with the question of how far communities are constitutionally required to go in desegregating their schools." ["Supreme Court Lets Bias Rulings Stand"] Also in April 1975, the Supreme Court, "declined to review an order giving preference to blacks and people with Spanish surnames in hiring of firefighters by Massachusetts cities." ["The Supreme Court"]

This historical overview has shown that in the past 200 years there have been many attempts to decree equality by all

branches of the government. Certainly, there have been tremendous advances by minorities and women in their struggle for justice and equality under the law. But, as is quite evident, de jure equality does not necessarily mean de facto equality--particularly in the social and economic areas. This historical overview should put into perspective the interactive nature of economic, political, and social forces in the total environmental system; i.e., society. The impact of the forces demanding equality in American institutions will be discussed in more detail in Chapter IV. Before proceeding to this discussion, the following chapter will identify and discuss some of the other forces that are causing a profound change in our society.

III. IDENTIFICATION AND DISCUSSION OF FORCES ACTING ON INSTITUTIONS

It has generally been accepted that the military exists to serve society; but it is still a debatable question as to the extent business exists to serve itself, society, or some combination of the two. The Committee on Economic Development stated that:

> Today it is clear that the terms of the (Implicit Social) contract between society and business are, in fact, changing in substantial and important ways... Inasmuch as business exists to serve society, its future will depend on the quality of management's response to the changing expectations of the public. [Committee on Economic Development (1971), p. 16]

The Committee further suggested that, "the great growth of corporations in size, market power, and impact on society has naturally brought with it a commensurate growth in responsibilities; in a democratic society, power sooner or later begets equivalent accountability." [Committee on Economic Development (1971), p. 21]

Endogenous forces have been observed operating in the military and in business organizations. In both institutions, dissatisfaction of younger personnel has prompted change from within.

In the Navy, a very low first term reenlistment rate and large numbers of junior officers resigning at the end of their initial obligation caused the former Chief of Naval Operations, Admiral Zumwalt, to take extraordinary steps in the form of his now famous Z-GRAM directives to liberalize the Navy and

and make it more responsive to the new values and needs of the younger personnel. The Army's liberalization is epitomized by their advertising campaign slogan, "The Modern Army Wants to Join You."

In the business world there are indications that some young executives are pressuring present corporate leaders to include social as well as economic values in corporate decision analysis. [Athos] There are growing instances of prospective business executives, lawyers and accountants, choosing to work directly for the good of society (with groups like Ralph Nader's Raiders) rather than for profit-seeking corporate enterprises. Business recruiters are finding MBA students harder to hire because the students are questioning the products and practices of corporations and are generally more doubtful of traditional corporate values than their predecessors. [Athos, p. 50]

Blue collar workers have traditionally been viewed as being religious, individualistic, patriotic, hard-working, moralistic, success seeking, conservative, and generally representative of mainstream American cultural values. Recently, the younger blue collar workers started to "go beyond good pay and economic security, toward other values .... they want jobs that provide self-expression and self-fulfillment, and only 3 out of every 10 feel their jobs offer them a good future. They want jobs that offer special forms of education and advancement through which they can seek their new

aspirations." [Yankelovich] These goals sound more like goals that would be advocated by college educated executives than goals of blue collar workers. Daniel Yankelovich, a major public opinion researcher, has found, from a sampling of the 25 million Americans between 16 and 25 years old, that, "What's happened is that this social revolution, which started on campus (in the 1960's), has begun to spread and it has spread particularly now to the other young people." [Yankelovich] Yankelovich also found that, "the non-college group's attitudes (the Blue Collar workers) were what the college group's attitudes had been only four years ago, in 1969." [Yankelovich] Table I indicates the direction and extent of the shift in attitudes of today's 16 - 25 year old non-college blue collar workers.

TABLE I

COMPARISON OF NON-COLLEGE YOUTH'S VALUES IN 1969 AND 1973

	1969 PERCENT	1973 PERCENT
1. Would welcome more acceptance of sexual freedom.	22	47
2. Casual premarital sexual relations are morally wrong.	57	34
3. Relations between consenting homosexuals are morally wrong.	72	47
4. Having an abortion is morally wrong.	64	48
5. Living a clean moral life is a very important life value.	77	57
6. Religion is a very important value.	64	42
7. Patriotism is a very important value.	60	40
8. Believe that hard work always pays off.	79	56
9. Would welcome less emphasis on money.	54	74

SOURCE: DANIEL YANKELOVICH (Survey in Spring 1973 of 2,516 non-college youth between 16 and 25 years old), "Counter-Culture Values Spreading, may alter workplace," Monterey Peninsula Herald, (May 23, 1974), p. 16:col 4-8.

The shift in values represented by items one through six in Table I are impacting primarily on the family and religious institutions. Item seven reflects a trend having an effect on the all-volunteer military. Items, six, eight, and nine indicate value shifts causing changes in business institutions.

Comparing Yankelovich's findings in 1973 with pollster Louis Harris' survey conducted in 1970, of a comparable but slightly younger sample group, shows a major shift in youth's attitudes and values:

> Life recently (1970) commissioned Louis Harris and Associates to interview a national cross section of the 26 million Americans who are between the ages of 15 and 21. Their views on a broad range of social questions are remarkably moderate, even conservative. In sum, they describe a rather tolerant, relaxed group whose attitudes and expectations on a great many subjects differ very little from their parents. As Harris reports, "The majority of youth listens to the rhetoric of dissent, picks what it wants, then slowly weaves it into the dominant social pattern." [Harris, p. 22-30]

Appendix A lists the significant results of the Harris Poll.

Thus far endogenous forces have been discussed and it was suggested that there are divergent value systems between the "older" executives on the one hand, i.e., those presently in top management positions in business and the military, and the younger executives and blue collar workers (junior officers and young enlisted men in the military) on the other hand. Anthony Athos sees the divergent value systems vis-a-vis organizations, as a spectrum extending from objective to subjective values. Traditional organizational values are

located at the objective end of the value spectrum and the new youth values are located near the subjective end of the spectrum. (See Table II.)

TABLE II

"OBJECTIVE-SUBJECTIVE" VALUE SPECTRUM FOR ORGANIZATIONS

	OBJECTIVE	SUBJECTIVE
Organizational goals	Quantity	Quality
Organizational structures	Centralized	Decentralized
Executive style	Closed	Open
	Rigid	Flexible
	Authoritarian	Participative
	Roles	Persons
	Absolute	Relative
Emphasis in Decision Processes Affecting Persons	Uniformity	Individualism
	Equalization	Variation
	Similarities	Differences
View of Man	Man as it	Man as I
	Know	Think and feel
	Out There	In Here
	Causes	Reasons
	External	Internal

SOURCE: Anthony Athos, "Is the Corporation Next to Fall?" [Harvard Business Review, (January-February 1970), p. 58]

In addition to endogenous forces for change - those forces initiated by the young executives and workers within organizations - there are exogenous forces that are being applied to organizations by the youth within society; ethnic minorities; consumer protection movements, regionally oriented ecology and anti-pollution-minded environmental protectionists; intellectuals concerned by the limits of the earth to sustain continued population, pollution, and economic growth; urban renewal advocates; women's rights advocates; and the public in general. The pressures of the various groups are brought to bear through direct action (protests), moral suasion (books, magazines, newspaper, radio and television), exercise of stockholders rights to vote, legislative action, judicial action, economic action (boycott of goods), and social action (refusal to work).

Underlying much of the social unrest that has resulted in the endogenous and exogenous forces acting on America's institutions are factors inherent in the American "post-industrial society" (to use Daniel Bell's term). [Toffler, p. 490, and Bell, p. 11] Some of these factors are: More workers involved in providing services than in the production of material goods, increased overall population, a more youthful population, early maturation, mass education, increased higher education, greater affluence, growing permissiveness, delayed adult role assumption, mass communications resulting in greater awareness of social problems, mass transportation, technological and scientific advancements, the increasing pace and

diversity of life, and a general disillusionment with society's ability to solve social problems. One major result of these factors has been to create a youth culture with different values than previous generations of Americans. One psychologist analyzed the change as follows:

> It strikes me as obvious beyond dispute that the interests of our college-age and adolescent young in the psychology of alienation, oriental mysticism, psychedelic drugs and communitarian experiments comprise a cultural constellation that radically diverges from values and assumptions that have been in the mainstream of our society at least since the Scientific Revolution of the seventeenth century. [Roszak, p. xi-xii]

Donald M. Kendall, President of the Pepsi Co., Inc., made a prophetic speech in 1971:

> There is today - whether you accept it or not - a massive generation of purposeful young people who have been taught and encouraged to challenge every institution in America ... and to change everyone that cannot justify itself in terms of value, meaning and contribution to life. So far the "challenge-and-change" generation has focussed most of its attention on institutions near at hand ... colleges, ROTC Units, draft boards and recruitment centers... and against.... poverty, pollution and prejudice. The next target.... is likely to be American business. Business equates to the Establishment. [Kendall, p. 245]

As Kendall predicted, American business has indeed become a target of change-oriented, socially conscious youth and minority groups. A Gallup poll, conducted in January and February 1975, surveyed 904 college and university students at 57 educational institutions, and revealed that, "A strong, anti-business mood is prevalent on the college campuses of America today." [Gallup Poll: Student's Anti-Business Bias]

The extent of their bias is reflected in the following summary of the Gallup Poll (See Appendix B for details of the questions asked and the answers obtained):

1. Only 20 percent of the college students interviewed believe that business executives have high moral and ethical standards.

2. An overwhelming percentage - 87 - believe that business is more concerned with profit than public responsibility.

3. Nearly two-to-one (63 percent to 35 percent) believe that the government should place stricter controls on business. Labor unions fare little better.

4. The college sample is in favor (54 to 39 percent) of breaking up the big companies of the nation into smaller companies.

5. A majority of college students thinks government intervention in business is necessary to protect individuals from economic abuses. [Gallup Poll: Student's Anti-Business Bias]

In another poll conducted in 1975, Gallup found that, "College students in America are twice as likely to place themselves on the 'left' on a liberal-conservative scale as they are on the 'right.'" [Gallup Poll: College Seniors Are the Most Liberal] Since it is the liberal thinkers who generally espouse an anti-business philosophy this may explain the results of Gallup's finding that a majority of students have anti-business biases.

In seeking to find out how the liberalization process functions Gallup found that:

> There is evidence from the current survey, that considerable influence may be exerted by college teachers. Approximately one-third of college students interviewed said their teachers had influenced

> their political views. And when asked to describe the political views of those teachers who had influenced them, those teachers perceived to be left-of-center are found to have had far more impact than those right-of-center. [Gallup Poll: College Seniors Are the Most Liberal]

There still remains the question of why college teachers and their college-educated student "progeny" find the liberal philosophy so attractive and why it frequently is expressed as an anti-business or anti-military/industrial feeling. Irving Kristol in a recent Wall Street Journal editorial called the liberal thinkers who are anti-business "the new class," and described them as follows:

> We are talking about scientists, teachers and educational administrators, journalists and others in the communications industries, psychologists, social workers, those lawyers and doctors who make their careers in the expanding public sector, city planners, the staffs of the larger foundations, the upper levels of the government bureaucracy, etc., etc. It is, by now, a quite numerous class; it is an indispensable class for our kind of society; it is a disproportionately powerful class; it is also an ambitious and frustrated class. [Kristol]

Kristol feels that the anti-business feelings of the "new class" of "liberal intellectuals" is based not on a mistaken understanding of business, but rather on the conscious desire to see the power that business exercises to shape our civilization through a capitalistic system of "free-market" transactions shifted or redistributed to the government where they (the intellectuals) will be able to exercise the power to shape our civilization. Kristol states:

> A civilization shaped by market transactions is a civilization responsive to the common appetites, preferences, and aspirations of common people. The "new-class" - intelligent, educated, energetic - has little respect for such a commonplace civilization. It wishes to see its "ideals" more effectual than the market is likely to permit them to be. And so it tries always to supersede economics by politics - an activity in which it is most competent, since it has the talents and the implicit authority to shape public opinion on all larger issues. [Kristol]

Institutions throughout America are beginning to respond to the growing political consciousness of these socially progressive, i.e., liberal groups. The next chapter will discuss the impact of the forces for social changes on American institutions.

IV. MILITARY, GOVERNMENT, BUSINESS, AND EDUCATIONAL INSTITUTIONS REACTIONS TO THE FORCES OF SOCIAL CHANGE

A. MILITARY REACTIONS

The all-voluntary military is a direct result of the social pressures that were brought to bear on the government by activist anti-war youths. [Rosen, pp. 56-57 and 65-67] The ramifications of this major change in personnel procurement initiated in 1973 are yet to be fully felt.

A top-level military management decision to implement a policy of equal opportunity has restructured military organizations to include, on almost all levels of the organizational hierarchy, a Human Resources Coordinating Officer and a Human Resources Council.

Table III lists the goals established by one Navy organization's Human Resources Council to implement a policy of, "... equality of opportunity and treatment for all personnel irrespective of race, creed, color, sex or national origin." [NAVAL POSTGRADUATE SCHOOL INST 5350.1, p. 1]

Under Secretary of the Army, Herman R. Staudt, in 1974, submitted a list of proposals to deploy the, "vast resources and capabilities of the armed forces to moderate U. S. social deficiencies." [Landauer] One of Secretary Staudt's proposals was:

> As detente becomes real and as the all volunteer force becomes an unqualified success, more money and time can be spent on projects not related to training and readiness...

TABLE III

GOALS OF MILITARY EQUAL OPPORTUNITY AFFIRMATIVE ACTION PLAN

GOAL 1. To attract to the Navy people with ability, dedication, and capacity for growth. Specifically, the Navy must be able to obtain the very best talent available in this nation regardless of race, religion, creed, economic background, or national origin.

GOAL 2. To provide real opportunity for all personnel of the Department of the Navy to rise to as high a level of responsibility as possible, dependent only on individual talent and diligence.

GOAL 3. To make service in the Department of the Navy a model of equal opportunity for all regardless of race, creed, religion, sex, or national origin. The Navy must strive to elevate the dignity of each individual and eliminate all vestiges of discrimination so that all members of the naval service can be proud to serve.

GOAL 4. To help each service member readjust to civilian life at the termination of military service.

GOAL 5. To participate in the progressive improvement of social-cultural interactions in our society by utilization of our human, economic, and physical resources while maintaining full effectiveness in the performance of our primary mission.

> National programs in health care, disaster aid, physical fitness, summer youth programs, vocational training for unemployed, underemployed, community day-care centers, parks-forest restoration, are some items that could be developed into national programs. [Landauer]

Under conservative Congressional pressure and professional military objections, the Army withdrew Secretary Staudt's proposals. [Landauer]

Secretary Staudt's attempt at a proposal for social responsibility for the military may have gone too far -- as it would have given the military organization a heavy social welfare responsibility. Goal five, in Table III, has the same purpose as Secretary Staudt's proposal; but by adding the caveat, "...while maintaining full effectiveness in the performance of our primary mission," it relegates, in this author's opinion, the social responsibility goal to a more proper subordinate position.

Another change in the military, resulting from equal opportunity forces, is seen in the latest revision to the Naval Officer's performance evaluation instructions (Fitness Reports). There is now a section titled, "Equal Opportunity" which requires an evaluation of an officer's ability or performance in the following areas:

1. Takes effective action to increase his own and his subordinates racial awareness.

2. Initiates actions in supporting the Navy's Equal Opportunity Goals, programs and directives.

3. Considers minority groups in planning and implementation of personnel actions. [BUREAU OF NAVAL PERSONNEL INSTRUCTION 1611.12D]

The Navy has taken initial steps to provide an equal opportunity for women in the Navy. There is now one woman flag officer; a few women have been designated qualified Naval aviators, and one non-combatant ship had women assigned as part of its crew (the ship has been decommissioned). Earlier in this thesis, mention was made of Admiral Zumwalt's Z-GRAMS and the Army's recruiting slogan as examples of organizational change in response to social pressures.

In summary, the military establishment is responding to forces requiring increased organizational social responsibility. Personnel policy changes; equal opportunity programs; pollution control programs; and social welfare programs; e.g., project 100,000, project transition, and project BOOST, are some examples of the military's attempt to incorporate policy changes reflecting an increased sense of social responsibility.

B. GOVERNMENT REACTIONS

Kristol identified a major struggle in society - a struggle between a power elite of intellectuals opposing the common man for control over society. Kendall and Rozak speak of the struggle between a new generation of young people whose values are quite different from the mainstream cultural values of traditional America, and the establishment whose institutions represent this traditional culture.

There is another struggle going on that this author perceives to be of profound importance in the future direction that America will follow - the struggle for economic, social,

and political equality. The main opposing sides in this struggle are the white males who generally represent the privileged positions in America's society, and women and nonwhite minorities on the other side. The problem of individual equality is no longer as much a moral or ethical question as it once was; it is now a practical dual question of: in what manner and how fast should government correct the inequalities that exist in society? Implicit in the above statement of the problem of individual equality is the assumption that governmental action is required to help solve the problem. This problem became a governmental problem when whites took to the streets to protest public busing of school children to achieve equality of educational opportunity, when blacks protested against unequal treatment in public facilities, when women publicly protested unfair treatment in employment, and when women and minority workers and students took court action to achieve equality of social, political, economic, and educational opportunities.

Political equality has largely been accomplished, at least as assessed by voting rights. Two areas that pose particularly thorny policy problems for government managers are equality of educational opportunities and equality of employment opportunities. Equality of employment opportunities will be discussed under business reactions to these social forces. A case study analysis of the problem of providing equality of educational opportunity should provide the reader

with an example of the complexity and dangers of the problems facing governmental policy makers.

The case study, provided as Appendix C, is hypothetical, but represents what has happened in many of America's larger cities and what is happening in Boston at this writing: The case study was suggested by an editorial in the Wall Street Journal titled "Public Policies and Idealism." The study illustrates the dangers of implementing public policy based on incomplete or incorrect basic assumptions and a failure to appreciate the systemic nature of complex social issues, i.e., the interaction and interdependence that exists between social, political, and economic factors in a complex post-industrial society.

The case study points out that public policy planners should not look at a problem such as unequal educational opportunities from its social aspects alone. A broader outlook would have conceived of the problem as a socio-economic problem and suggested that busing of students to provide racial balance would be opposed on the grounds of a negative reaction to the mixing of economic classes.

There are no simple solutions to complex socio-economic problems. The flight of affluent white and nonwhite families from cities where court-ordered school busing has been implemented clearly proves the truth of a statement made by a sociologist and professor that, "When the will for integration does not exist, the imposition of it by the courts does not

make it successful." ["Public Policies and Idealisms"] The next section will discuss how the private sector (business) is responding to the forces of social change.

C. BUSINESS REACTIONS

Business organizations have also been responding to the forces demanding acknowledgment of a sense of social responsibility. In 1971 a non-profit organization, Human Resources Network, was established to compile data on the social action projects of American corporations. The results of the first year's research indicated that only about 10 percent of American corporations have social action programs or are willing to speak about them. Only 250 of the 2300 corporations queried on their social action programs responded with data on what they were doing and at what cost in the social action area. The result of the study was the publication of a compendium called "Profiles of Involvement." It includes a description of 535 social-action projects of 186 of the nation's largest corporations. Typical of the projects described in the three-volume work were the following: urban development, drug education, and consumer safety. A major conclusion of the study was that, "There really are an overwhelming number of top companies that are doing absolutely nothing ... We found that, in a lot of companies, social action means how much they gave to the Red Cross last year." ["Keeping Book on Social Action," p. 96] The study has acted as a conscious-raising tool and has proven useful in some practical business

investment decisions, e.g., U. S. Steel Corporation after ignoring the initial study has decided it wants it social-action efforts publicized in the next revision to the study and the, "First Spectrum Fund, a New York mutual fund that specializes in stock of socially responsible companies, says that Profiles has been helpful in making investment decisions for its firm." ["Keeping Book on Social Action," p. 96]

One of the most effective means of forcing business to adopt social responsibility policies has been legal action brought by the Labor Department, the Justice Department and the Equal Opportunity Commission at the instigation of groups interested in peace, environmental protection, consumer protection and egalitarianism, e.g., National Organization of Women (NOW), National Association for the Advancement of Colored People (NAACP), Ralph Nader's Consumer Protection Groups (Nader's Raiders), Public Advocates (A San Francisco public interest law firm), Investor Responsibility Research, Inc. (IRRI), The Clergy and Laity Concerned (CALC), The Project on Corporate Responsibility, and The Citizens Action Program (CAP). Just how effective these efforts have been will be seen in the following examples.

American Telephone and Telegraph Company has agreed in recent years, in separate government sex-discrimination suits, to grant $45 million in back pay to their non-management employees and to grant $7 million in back pay and $23 million in first-year wage adjustments to lower and middle management

employees to compensate for pay discrimination. Thus, AT&T has agreed to pay out $75 million to compensate employees for sex-discrimination in hiring, compensation, and promotion policies and practices. An AT&T spokesman stated, "We feel the new promotional program makes equal opportunity a reality for all our people." ["AT&T Will Pay ..."] The reality has not materialized in the past two years. In May 1975, AT&T agreed to improve its performance under the 1973 consent order. AT&T and several federal agencies reached a supplemental agreement calling for 'priority' hiring and promotion of workers where the company has failed to meet hiring goals of the 1973 order." ["AT&T Agrees to Boost Efforts ..."] "The agreement could cost up to $2.5 million during 1975 and 1976, with part of the money to go into a special AT&T administered fund "to further equal employment efforts,' the company said." ["AT&T Agrees to Boost Efforts ..."]

The Bank of America recently announced, "It has tentatively agreed to increase the proportion of women officers in the bank to 40 percent by the end of 1978 and to invest $3.75 million in training women for promotions." [Harris, p. 1:1] It was estimated that as a result of the promotions women will now receive, it will cost the Bank of America about $10 million a year in additional salaries.

In May 1974, the American steel industry agreed to pay more than $30 million in back wages to women and minority workers for past sex and racial bias in job assignments. "The

agreement with nine major firms and the United Steel Workers Union provides new hiring goals that could vastly expand the number of women in steel mills and blacks and Mexican-Americans in high-paid skilled jobs." ["Steel to pay $30 million for race bias"]

Another method used to force business to accept social responsibilities has been through the use of proxy votes at stockholder meetings. Individuals and activist groups are challenging corporate managements on issues such as: "Corporate investment in South Africa (where Aparthied is a national policy); minority hiring; broadening the membership of boards of directors; and disclosure of military contract business, political contributions, and lobbying activities." ["Activists step up their annual attacks"]

The proxy method has not had anywhere near the success of the legal action method thus far; but as institutional investors become more active in the fight for social responsibility, corporations will find it more difficult to ignore corporate social responsibility proposals. For example, there are 50 institutions (Universities, foundations, banks, mutual funds, and insurance companies) that support (by selective investments) Investor Responsibility Research, Inc., in its mission to influence corporate policy changes in many social areas, e.g., South African investment, equal employment opportunity, strip mining, nuclear power safety, and employment for women. ["Activists step up their annual attacks"]

A dissident shareholder's organization called Project Standard Oil (PSO) has been formed by shareholders of Standard Oil Company of California. Its purpose is not to try to replace current management but to assume the role of social conscience of Standard Oil Company. [Moskowitz, M] The implicit assumption is that Standard Oil Company's management does not have a social conscience. Some of the issues that PSO has been concerned with are: birds killed or maimed by oil spills from Standard Oil tankers, political contributions made by the company, and inadequate disclosure of information to shareholders. [Moskowitz, M] PSO's success at influencing corporate policy changes, so far, have been limited, i.e., "At the most recent Standard Oil annual meeting held last month (April 1975), in San Francisco, a PSO-submitted resolution mandating nonpartisanship in political campaigns garnered eight million shareholder votes or more than six percent of all the votes cast." [Moskowtiz, M.]

The trend is clearly discernible; corporations are becoming aware that they must respond to social criticism and take positive action to help alleviate the social ills of society --even if it means reduced profits--or suffer the consequences of hostile public opinion and increased governmental regulation.

D. EDUCATIONAL INSTITUTIONS REACTIONS

Both public and private educational institutions are caught in the middle of integration and affirmative action

problems. Public schools are being forced to hire minority persons and women at all levels of responsibility. [Moskowitz, R.] As was seen in the previous section, forced busing of school children is deteriorating the quality of education available in many inner-city public schools. This deterioration is a result of the loss of tax revenues and to the exodus of many of the better students and teachers to the suburbs.

In order to promote equality of educational opportunity for children who speak a language other than English, many school districts are offering bilingual instruction. ["Bilingual Education"] "The U. S. Civil Rights Commission recently recommended that children who speak a language other than English be taught classroom subjects in their native tongue while studying English as a second language." ["Bilingual Education"]

Colleges and universities are being pressured to hire minority persons and women or suffer a cutoff of federal funds. ["Minority Hiring Again A Big Issue for Colleges," p. 53] There is no busing problem on the college or graduate level of education but there is a considerable amount of pressure on these institutions to favor the admission of minority persons and women.

Colleges and universities have reacted to equal opportunity affirmative action pressures by hiring minority and women staff members and by admitting an increased number of minority and women students. ["Minority Hiring Again A Big Issue for

Colleges," p. 53] Many universities have allowed student protestors to abridge the Constitutional rights of freedom of speech (guaranteed under the First Amendment) of speakers who expressed thoughts or held opinions contrary to those held by the protestors; e.g., views conflicting with racial justice or equality. [Adams] Students, faculty, and administrators are reacting to other social pressures which are: demanding greater democratization of the schools; i.e., more student participation in policy-making decisions, calling for increased relevance of subject matter to a changing society, and demanding a less structured and less formal educational program design. ["College Without Campus," and McGill, p. 5]

If social pressures, reinforced by governmental pressures, have resulted in better educational and employment opportunities for minority and female members of society, one may ask, is this not the fulfillment of justice, liberty, freedom, and equality as promised by the founders of America in the Declaration of Independence and in the Constitution? For those who are the recipients of the benefits of the social pressures--the answer is, yes. For anyone who feels that a process of reverse discrimination, resulting from these social pressures, has prevented him or her from realizing their equality of opportunity--the answer is, no.

The next chapter will discuss some of the problems created by the reactions of institutions to the social pressures mentioned above with specific emphasis given to the problem of

reverse discrimination. It will be shown that an institutional translation of a demand for equality of opportunity into a demand for equality of results has presented society with the new problem of reverse discrimination.

V. THE PROBLEMS CREATED BY INSTITUTIONAL REACTIONS TO SOCIAL PRESSURES

The previous chapters indicated that the social forces extant in contemporary society that are exerting the greatest pressures for institutional change are the result of changing values and center about a demand by minorities and women for equality.

Many observers feel that the government's application of affirmative action programs to institutions--in support of equal opportunity ideals--is, in reality, an attempt to promote an, "equality of result" instead of an "equality of opportunity" interpretation of the concept of equality. [Adams] Some further charge that affirmative action goals are being interpreted as quotas and resulting in discrimination against the majority; i.e., reverse discrimination.

Examples of reverse discrimination are becoming more frequent as industry, the government, and educational institutions react to the public policy proclamations of affirmative action for equal opportunity.

Recently (April 1974), the California State Board of Education approved a strict affirmative action policy that will force local districts to hire more minority persons and women who apply for jobs:

> The resolution requires local school districts, "to adopt and implement plans for increasing the number of women and minority persons at all levels of responsibility." Those plans must include specific goals and establish time tables to reach those goals.

> The guidelines require the hiring not only of qualified personnel but those "who may become qualified through training or experience within a reasonable length of time." [Moskowitz, R.]

Here is a clear-cut statement of policy requiring hiring of personnel based on minority status (sex and race) rather than on the individual's present qualifications, abilities, or merits. One board member denounced the proposal and voted against it, saying, "it would force 'reverse discrimination' in the hiring practices of school districts." [Moskowtiz, R.]

The many lower court decisions requiring student busing and pupil reassignment by quotas to achieve statistical integration in public schools has led to the proliferation of imposed quota systems in other areas. The U. S. Commission on Civil Rights recently criticized housing segregation in suburban areas and called for new remedies and better enforcement of fair-housing laws. "Some of the other proposals for integrating suburbia, however, seem to be little more than demands for a quota system for neighborhoods..." ["Segregation and the Suburbs"] The Wall Street Journal questions, "But what is the goal of social policy, to distribute black families one in every tenth house, or to guarantee them and others the right to choose where they want to live?" ["Segregation and the Suburbs"]

Alleged reverse discrimination in college and graduate school admissions is increasing. As stated in Chapter II, what would have been a landmark case in reverse discrimination

- De Funis v. Odegaard - was declared moot, and not reviewed, in April 1974 by the U. S. Supreme Court.

Marco De Funis was denied admission to the University of Washington Law School in 1971 even though his predicted first year average was higher than 36 minority applicants who were admitted. De Funis filed suit, "... contending that the procedures and criteria employed by the Law School Admissions Committee invidiously discriminated against him on account of his race [white] in violation of the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution." [De Funis, p. 4578] De Funis was granted relief in the form of a mandatory injunction commanding the respondents to admit him as a freshman law student in 1971. [De Funis, p. 4578] "On appeal, the Washington Supreme Court reversed the judgment of the trial court and held that the Law School admissions policy did not violate the Constitution. By this time De Funis was in his second year at the law school." [De Funis, p. 4578] By the time the case was finally brought before the U. S. Supreme Court, in February 1974, De Funis was registered for his final quarter in law school. The Supreme Court declined, by a five to four decision, to hear the case on its merits since De Funis would complete his law school studies regardless of its decision. [De Funis, p. 4579]

Mr. Justice Brennan, in his dissenting opinion stated that, "The constitutional issues which are avoided today concern vast numbers of people, organizations and colleges and

universities, as evidenced by the filing of twenty-six amici curiae briefs. Few constitutional questions in recent history have stirred as much debate, and they will not disappear." [De Funis, p. 4589] Appendix D lists the twenty-six organizations or persons who filed briefs in the De Funis case.

Among those who could be expected to file briefs in support of the University of Washington, based on their previous equal rights records, were: The American Bar Association, the NAACP Legal Defense and Education Fund, Inc., the National Organization for Women Legal Defense and Educational Fund, Inc., the National Education Association, and various black, Mexican and Indian groups.

Briefs filed in support of De Funis, in addition to some Jewish and Italian groups, include two large, powerful, and usually opposed groups - the AFL-CIO and the National Association of Manufacturers of the United States. It is not surprising that labor and management should be aligned in support of De Funis' claim of reverse discrimination. The issue in the De Funis case - should the law school be allowed to give preferential treatment to minorities - has important implications for labor and management; e.g., should hiring and promotion criteria be applied fairly to all concerned or should they be bent in favor of minorities and women? The fundamental constitutional question is, is the Constitution "color blind" or are some individuals more equal than others, for whatever reason? [McCabe]

The following statements, though not conclusive, seem to indicate that there is a problem of reverse discrimination in society. "What is threatening now is a huge backlash from those decisions, as whites in schools, factories and offices feel threatened by the insistent demands of blacks that the decisions be translated into 'affirmative action.'" [McCabe] Mr. James B. Webber, a Director of the Cambridge Research Institute, Inc., who is studying the emerging phenomenon of reverse discrimination said, "We found that white males are intensely angry -- it's an Archie Bunker reaction, but it's real." [Webber] "Everywhere young white men are protesting that they are not being allowed to compete fairly on the basis of their individual qualifications." [Hook]

The white majority has been relatively slow to lodge official reverse discrimination complaints. "On file at HEW are more than 150 cases of alleged reverse discrimination [in the education field], in which white males charge that women and blacks are being favored over them in hiring, or in which women complain of discrimination in favor of blacks." ["Minority Hiring Again a Big Issue for Colleges," p. 53] As of March 1973 HEW has an "OMBUDSMAN" working full time on reverse discrimination complaints. [Seligman] "In fiscal 1973, ended June 30, more than 50 white males filed complaints with EEOC, charging firms with promotion discrimination, up from just three such complaints in fiscal 1968." [Gallese] These are relatively few complaints when compared to the 29,000

complaints of minority discrimination received by the EEOC in Fiscal Year 1971 [Wallace, p. 159], and by the more than 30,000 filed in Fiscal Year 1972. [Seligman, p. 162]

In an appeal to federal and local government bodies to review legislation and implementation of affirmative action programs, two leaders of American Orthodox Judaism (Rabbi Louis Bernstein and Rabbi Fabian Schonfield) charged that implementation of the program has resulted in reverse discrimination against Jews and white middleclass people generally. [Spiegel] They stated that:

> Merit is no longer the yardstick by which we measure success or the opportunity to serve.
>
> The polarization into ethnic groups that we have witnessed is making America into a divided community - instead of unifying and strengthening it, we are underscoring our differences and sowing seeds of internal hatred. [Spiegel]

Mr. Albert Shanker, President of the United Federation of Teachers, AFL-CIO, advertised in the New York Times as follows:

> The quota "solution" is indeed simple-minded. There has been and continues to be discrimination. It must be fought. But not every numerical and percentage "imbalance" is a result of discrimination. Some imbalance is owing to the fact that in a free society individuals make choices on the basis of their individual and differing group values. We must fight to guarantee that no one is excluded from a position as a result of racial discrimination--but, if we value a free society, we cannot demand a society in which each group has its fixed quota in each occupation. [Shanker]

From the above comments it is easily seen why Jewish groups, the AFL-CIO, and management filed briefs in support

of De Funis. Each of these groups, though effected in different ways, are becoming increasingly aware that there is a problem of reverse discrimination. Jewish groups fear the imposition of quotas based on racial distinctions because of the experiences of Jews in Nazi Germany. [Jordan, p. 632] Labor groups fear that the seniority system will be declared illegal because it tends to prevent the upward mobility of minorities. [Sethi, p. 323] Management groups fear that employee training costs will increase and productivity and safety will decline if less qualified minorities replace trained and qualified workers. [Sethi, pp. 325-329]

In addition to fighting in the courts and promoting advertising campaigns, one group in Newark, New Jersey - The Center for Urban Ethnic Affairs of New Jersey - has established a "White N.A.A.C.P." with the goal of providing an "equal employment opportunity" counseling and legal-aid service for "white ethnic groups." [Waggoner]

Is the problem of reverse discrimination - a relatively recent phenomenon: i.e., subsequent to the Civil Rights Act of 1964 - any different from the problem of discrimination that has been extant in America since 1776? The answer is both yes and no. Traditional discrimination and contemporary reverse discrimination have in common the fact that they both favored one group, class, or individual at the expense of some other group, class, or individual. Discrimination resulting from the practices of nepotism and patronage are probably as old

as mankind and are equally as likely to occur in traditional as in contemporary discrimination climates. It should be made clear that reverse discrimination has not replaced traditional forms of discrimination - it is more of an additional form of discrimination with its emphasis on a different target group.

The charge of reverse discrimination may be used by some members of the white majority to cover up feelings of prejudice and to promote discrimination against minorities. There have been some occurrences to support such a viewpoint; for example, as recently as June 8, 1975, it was reported in the San Francisco Examiner that thirteen black football players "representing the entire black population of this remote oil center, were run out of town [Taft, California], with nothing but the clothes on their backs." [Ludlow, p. A,1] A white youth, who was involved in the incident, gave the following reasons for the action taken by the 40 white youths who invaded the campus of Taft Junior College "threatening to kill all blacks": he said that, "the outsiders have replaced local athletes," that, "the outsiders get an unfair share of campus jobs and grants," and that, "the coloreds beat up our friends, take our girls and the cops don't do nothing." [Ludlow, p. A, 7]

The charge of reverse discrimination may be justified by the perception of some whites that the blacks were getting "an unfair share of campus jobs and grants" [Ludlow, p. A, 7];

but this charge, in this particular instance, seems lost in the apparent racial prejudice exhibited by the white attackers.

Traditional discrimination generally favored the majority against one or another minority faction; e.g., the privileged position of the White Anglo-Saxon Protestant (WASP) in American culture vis-a-vis blacks, Jews, Asians, etc. Reverse discrimination generally favors a minority over someone in a more favored or majority position.

There are persuasive arguments both for and against the morality and practical necessity of reverse discrimination. Arguing against the attempts of egalitarians to right the wrongs of racial and economic inequality through unjust means (such as reverse discrimination), Harvard philosopher, Robert Nozick, has developed an "Entitlement theory of justice." [Woodward] Nozick's theory states that, "People are entitled to their possessions--no matter how unequal the distribution of goods in society as a whole--provided they have acquired them fairly and squarely." [Woodward] Nozick has not yet developed, "Entitlement principles for rectifying past injustices which may, in turn, account for the advantages that many citizens now enjoy." [Woodward]

Arguing for "affirmative action" programs for women (which often result in the charge of reverse discrimination), Ruth Ginsburg, Professor of Law at Columbia, stated, "The choice is not between a fair system and a preference for

women, but between continued discrimination and an equal chance." [Jones, p. 14] Arguing for "Preferences," Vernon Jordan, Jr., Executive Director, National Urban League, stated, "I say that given the refusal of our society to allow blacks into law schools in the past, given the fact that a bare handful of black lawyers are practicing today, then that youngster (who failed, by two points, to pass the required law school admission's test), and others like him should receive some kind of preference until such time as black people may be regarded as having achieved full access to the professions of our society." [Jordan, p. 631] William J. Kilberg, the Labor Department's Associate Solicitor for Labor Relations and Civil Rights, has stated, "In situations where there has been a finding of discrimination, and where no other remedy is available, temporary preferential hiring is legal and appropriate." [Seligman, p. 167]

If one agrees with Daniel Seligman's view that, "It is, after all, logically impossible to discriminate in favor of blacks without discriminating against some whites;" than one would logically conclude that any affirmative action program, quotas, goals, or preferential treatment that favors blacks, women, or minorities results in some form of reverse discrimination against whites, men, or other minorities. [Seligman, p. 166] Supreme Court Chief Justice Burger stated in Griggs vs. Duke Power (1971), when referring to Title VII of the Civil Rights Act of 1964, "Discriminatory preference for any

group, minority or majority, is precisely and only what Congress has prescribed." [Seligman, p. 167] Thus, there is no legal justification for either discrimination or reverse discrimination; but, as stated, there are many persuasive arguments, pro and con, on the moral and pragmatic issues involved.

Some individuals may gain temporarily from a policy of discrimination, but when viewed from a long term systemic perspective, there is a resultant loss of productive human effort associated with any policy of discrimination except one that differentiates on the basis of ability, effort, and performance. [Jordan, p. 631] But, even this latter ideal is subject to the criticism of discrimination since there is no foolproof completely objective criteria of measurement of past performance and even less is known on how to predict ability, effort, and future performance.

A black minority viewpoint on this point is expressed well by Vernon Jordan, Jr., Executive Director, National Urban League:

> We have no quarrel with the merit system nor with the concept that rigid numerical quotas that overlook individual differences and attributes are wrong. But we reject the suggestion that a merit system is actually in operation today. Nor do we accept that merit may be accurately measured by tests. Public service jobs are often awarded on the basis of political patronage, not merit. Jobs are based on tests that have no relationship to the job to be performed. University positions are awarded on the basis of the buddy system and the old school tie. Construction industry jobs are often restricted to members of the family of a union member. The extent to which merit determines the allocation of jobs and privilege in our society has been grossly exaggerated. Even Justice Douglas,

> whose De Funis opinion indicated he felt the University of Washington violated Fourteenth Amendment guarantees of equal protection, indicated just as strongly his belief that the Law School tests were not a positive indication of merit and that other criteria could also be used to determine admission. [Jordan, p. 631]

Mr. Jordan, therefore, asserts that a merit system (one that recognizes individual differences and rewards excellence) is not actually in operation in America today, and that patronage and nepotism are involved in allocation of jobs and privileges in our society. However, the federal government's "cure" for past discrimination - in the form of affirmative action plans built around goals and timetables - is resulting in de facto quota systems favoring minorities; probably further erroding the goal of a true merit system. Mr. Jordan's rejection of the premise that merit may be accurately measured by tests is based on the claim that written tests "do not measure individual capability and potential." [Jordan, p. 631] Though often true, Mr. Jordan is hasty in condemning testing. There have been studies that have shown that objective criteria, including written testing, can be devised to accurately predict future potential as well for minority groups as for majority groups. [Campbell, p. 70] Jordan advocates preferential treatment for black people "... until such time as black people may be regarded as having achieved full access to the professions of our society." [Jordan, p. 631] Jordan's solution would discriminate against other minorities, women, and qualified and deserving members of the

majority; i.e., reverse discrimination - all in the name of "equal opportunity."

The practice of reverse discrimination, resulting in the federal government's equal opportunity programs, promotes mediocrity and not excellence. In support of this contention, the Carnegie Commission on Higher Education is quoted as follows, "Government policies are stimulating reverse discrimination in the employment, promotion and pay of women and minority members ... [and that] ... federal insistence on the hiring of more women and blacks is lowering standards and undermining faculty quality." ["Minority Hiring Again A Big Issue for Colleges," p. 53]

Mr. James B. Webber, a Director of Cambridge Research Institute, Inc., in Massachusetts, who is studying the emerging phenomenon of reverse discrimination, found that a growing number of white males are feeling the sting of de facto discrimination in hiring and promotion as a result of many big companies scrambling to meet the government's "affirmative action goals." [Gallese]

"In anonymous interviews with 160 managers in a $2 billion company, Cambridge Research Institute unearthed discontent on most levels, but primarily among managers just above the foreman level." [Gallese] Mr. Webber found the following typical reaction: Some said, "they'd quit"; some felt that there was no hope for them, others said that the company will drive out talent, one young foreman said, "He's 'turned off' and won't

work Saturdays"; and one manager said, "he'd just 'do his job' and 'not care.'" [Gallese]

Mr. Webber's conclusion was that, "Eventually all this white-male resentment could build up into a 'motivational recession,' affecting individual companies' progress and maybe even that of the entire U. S. economy." [Gallese] Webber felt that many companies will have to devise new ways of motivating employees. "His firm suggested several alternatives to the company it studied: earlier retirement, more lateral moves, a more horizontal rather than vertical organization structure, and lengthy sabbaticals at part-salary." [Gallese]

The relevance of this topic for contemporary society can be inferred from the wide range of speculation as to the ramifications of the continued imposition of federally sponsored "equal opportunity" programs by means of legislative decree, judicial interpretation, and executive bureaucratic regulation. Social forecasts range from orderly acceptance of the program, with either a resultant decline in meritocracy and excellence or the evolution of a utopian state of equal opportunity for all; to the prediction of a possible major white-majority backlash resulting in even more discrimination against minorities than existed before the Civil Rights Act of 1964. [Boorstin, p. 302; Seligman, p. 168; Gallese]

Equal opportunity for upward mobility in America is primarily based on education. [Lipset, pp. 56-57, and McCord, p.

65] The white majority has long viewed this as an equitable arrangement. But, qualified minority students who were denied higher educations because of past discriminatory quota systems, view the system as highly inequitable. [Jordan, pp. 630-631] Jordan states:

> But black people also know that we too have been subjected to a quota system, a quota system that froze us out of America's universities, out of her professions and out of the mainstream of her social and economic life. It is because of that quota system that a third of all black people are locked into poverty and another third live on marginal incomes today. It is because of that quota system that black people form less than two percent of every profession of significance today. It is because of the heritage of that quota system that so few blacks are to be found in graduate schools and in professional schools today. [Jordan, p. 630-631]

Because of reverse discrimination in the form of minority admissions policies; e.g., law schools (De Funis versus The University of Washington) and medical schools (Bakke versus the University of California, Davis), some qualified white students are finding their means of achieving upward mobility blocked. The majority of these white students, like their black counterparts, were highly motivated, goal directed, and achievement oriented. The great majority of these black students were forced by a white-dominated society to exist "out of the mainstream of her [America's] social and economic life." [Jordan, p. 631] If this was true, one can logically conclude that they became less motivated, lowered their goals, and looked elsewhere to fulfill their achievement needs. Some of them, in anger born of frustration, became alienated from

society and attempted to change society through radical means (the Black Panthers and the SLA are two examples).

White students who find themselves in this position today are fighting back from within the system - through the judicial process - and are achieving varied success. [De Funis and Bakke] The difference between the problems that whites and blacks face, as this (white) author sees it, is that whites are fighting federal and state bureaucracies as well as institutions practicing reverse discrimination against them; whereas blacks, and other minorities, can now enlist the help of federal and state bureaucracies in their fight against institutions practicing discrimination against them.

The solution to the problem of correcting past and present discrimination while ensuring that there is no reverse discrimination generated in the process, lies in the gray area between the black and white positions. The final chapter will draw conclusions from the foregoing and make some recommendations as to how organizations within institutions can attempt to cope with these difficult problems.

VI. SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

A. SUMMARY

Chapter one introduced the subject of social responsibility as a concept that is becoming harder for the various institutions in America to ignore. Changing cultural values and increasing public unrest are forcing institutions to re-evaluate their positions on discrimination, equality, and merit as they affect education, hiring, promotion, pay, seniority and other matters relating to these general areas.

The historical overview of equality in America, presented in Chapter two, showed that equality is not something that can be legislated or decreed nor can it be attained in a short period of time. It was shown that de jure equality without economic and social equality is meaningless and that the attainment of equality is dependent primarily on public attitudes.

Chapter three explored the area of changing cultural values and indicated that they are impacting on organizational policy from both outside the organization and from within. A societal trend towards a more liberal philosophical outlook--particularly amongst the youth, an anti-business mood on college campuses and among the "new-class" of liberal intellectuals [Kristol], and changing expectations of the public were identified as some of the forces acting upon organizations and institutions.

Chapter four looked at the reactions that institutions are taking in response to the forces of social change. The military, government, business and educational institutions were discussed. One social force that seems to have a pervasive influence on all institutions was identified as the demand for equality--ostensibly for equality of opportunity.

In Chapter five it was shown that an institutional translation of a demand for equality of opportunity into a demand for equality of results has presented society with a new problem--reverse discrimination. Discrimination and reverse discrimination are counter-productive to the overall achievement of excellence by society since they both lead to a waste of human resources.

B. CONCLUSIONS

In recognition of the fact that there are limited resources in society that can be made available to promote the upward mobility that most members of society aspire to; it is concluded that these resources should be used equitably to promote equal opportunities in education, hiring, and promotion. Society's rewards should be based on merit - a multiplicative function of the following factors: aptitude, training, achievement, motivation, performance and job attitude. [Maier, p. 329] Reverse discrimination must not be used to right-the-wrongs of past discrimination. What this means is that in a period of economic recession, with declining productivity

there will be fewer resources available to promote equal opportunities for all; and the creation of an egalitarian society based on merit will take longer to achieve. [Rowan and "Unemployment Adds to Sex Discrimination"] There are no short cuts. Discriminating against the majority to correct discrimination against minorities is self-defeating and will produce bitterness, divisiveness, and further discrimination.

Acknowledging the fact that a productive economy is a result of a healthy economy that optimizes the use of its human resources--it is also concluded that equality of opportunity for all can only be attained when there exists a prerequisite growing productive economy. The solution to the problem of correcting the unjust inequalities in society lies in achieving success in two areas. First, there must be an expanding economy capable of providing the resources required for a program of equality of opportunity and capable of utilizing the human resources resulting from such a program, or the gains made by the minority will be largely at the expense of the majority (it is assumed that in a healthy growing economy that there will be more opportunities available to share between all members of society). Secondly, there must be systems devised to correctly and fairly determine the aptitude, ability, and potential of individuals; and to correctly and fairly measure achievement, motivation, performance, and attitude; i.e., merit (it is assumed that

if merit cannot be defined and measured then a system of equality cannot be based on it).

More and more white males are perceiving themselves to be the victims of reverse discrimination in hiring and promotion opportunities (in the work place and in admissions policies in the area of higher education). The problem is becoming worse because of the increased pressures being applied by the EEOC on labor unions, industry, and universities to adopt affirmative action programs on one hand and by the reduced hiring and promotion opportunities resulting from the recessionary economic situation on the other hand. The white, male, middle managers are the group most affected by reverse discrimination.

The result of this white-male resentment "...could build up into a 'motivational recession,' affecting individual companies progress and maybe even that of the entire U.S. economy." [Webber, p. 1]

The merit system, as applied to hiring, promoting and admissions, is being underminded by the quota system with the resultant lowering of standards and excellence.

In looking at the future of the Government's Affirmative Action Program, with its attendant reverse discrimination effects, Seligman has said:

> In any case, one would have to be skeptical of the long-term future of any program with so many anomalies built into it. For a democratic society to systematically discriminate against "the majority" seems quite without precedent. To do so in

> the name of nondiscrimination seems mind-boggling. For humane and liberal-minded members of the society to espouse racial discrimination at all seems most remarkable. [Seligman, p. 168]

C. RECOMMENDATIONS

From the foregoing, it is evident that some action must be taken to prevent the social problems of today from becoming the social, political, and economic crises of tomorrow. One must guard against action for action's sake alone--a politically expedient short-range solution to a pressing problem may create many and more difficult problems in the long run. This may be the case with court-ordered school busing, governmental regulations on environmental issues, and with affirmative action programs that rely upon goals to enforce an equality of results.

The problem of how to react to the pressure of social change, as stated in the introduction to this paper, suggests an outline for its own solution. Once top management recognizes that there is a problem, the first step is to promulgate a policy statement that acknowledges that the organization has social responsibilities to society.

The next step should be the creation of a center of social responsibility within the organization to define what the social responsibilities of the organization are and to determine how best to meet them. CBS, Inc., for example, acknowledging the fact that, "business cannot be governed by the profit motive alone, ' ... announced formation of an internal

department of corporate responsibility designed to 'advise the management of CBS, including all operating divisions and subsidiaries, on activities which further the corporation's policy of displaying good citizenship in conducting the various business in which it is engaged.'" ["CBS Names an Executive as Corporate Conscience," p. 30] CBS made the department head Vice President for Corporate Responsibility.

The next step should be the setting of goals and objectives by the responsible department. The goals should include, inter alia, equal opportunity for minority hiring and promotion; urban renewal projects; pollution abatement; community health and education improvements; and improvement of the organization's public image.

Last but not least, a method should be found to measure and report costs and benefits of social responsibility programs. At present, it is generally true that costs required to meet social responsibilities are absorbed into labor and production costs and not accounted for or budgeted separately. Benefits resulting from social responsibility expenditures are usually not quantified and matched against their costs because it is extremely difficult to measure the benefits and to assign dollar values to them. One company, Abt Associates, Inc., has been helping clients work on social audits and has come up with a format for measuring a company's social contributions. (See Appendix E.) ["The First Attempts at A Corporate 'Social Audit,' 1972," p. 89]

The recommendations listed above are general in nature because specific recommendations must be tailored to individual organizations. Peter Drucker has stated, "The new demand, is for business to make social values and begin to create freedom for the individual, and altogether to produce the good society." [Drucker, p. 81] Drucker's concept should be extended to apply to all institutions in society.

Public policy makers must come to understand that problems must be analyzed from a systems point of view; that politically expedient solutions successful in the short run will inevitably invite failure in the long run; that the basis for social change lies in education and not through legislative, judicial, or executive decree; and that in order to minimize inequities, social change must be allowed time to come to fruition, and not precipitously imposed on society.

The Government's public policy should be to eliminate minority discrimination and to ensure that reverse discrimination against the majority is not promoted. The only way this difficult task can be accomplished is by returning to the concept of equal opportunity based on individual merit. The Government should abandon the use of quota systems in its affirmative action programs (even if they are called statistical or proportional representation) and vigorously prosecute, in the courts, individual acts of discrimination based on anything but merit. A return to a society based on individual merit will ensure that America will enjoy, in the

future, the same achievement of excellence and progress that has been its good fortune to enjoy in the past.

Despite the criticism that testing is often culturally biased and not job or performance related, objective measures, including written tests, can probably be devised to fairly and accurately measure performance and predict, with reasonable confidence, future potential. Accordingly, it is recommended that the federal government, in conjunction with other American institutions, participate in a program designed to develop assessment centers where future potential and past achievements can be fairly and accurately measured. Once the techniques of assessment are developed and tested, they could be applied, inter alia, to admissions procedures to schools, to employee selection, and to employee promotions. Appendix F shows a "Hypothetical Example of a Multiple Predictor Sequential Process of Employee Selection." [Bassford, p. 46] Similar processes could be developed for use in determining promotions and in selections for educational opportunities.

The final recommendation of this paper is that all institutions reevaluate their existing policies vis-a-vis current social problems and establish educational programs, study groups, and action committees to make changes in policy, where necessary, to prevent today's problems from becoming tomorrow's crises. The Federal Judiciary and Congress, specifically, must take the lead in this recommended

reevaluation. There is much more investigation, study, and critical analysis needed on these important social problems.

APPENDIX A

LIFE-HARRIS STUDENT ATTITUDE SURVEY

Below are listed the significant results from the LIFE-HARRIS poll. Where percentages are listed, they apply to the related item. Those items without percentages are general consensus results from a group of related questions. Students interviewed (15 to 21 years old) held the following attitudes, opinions, or beliefs:

1. Respect for parents.
2. Belief in the "Protestant Ethic" of hard work, success and wealth.
3. Optimism in the future.
4. Admiration of heroes such as Robert Kennedy, Bill Cosby, Neil Armstrong, and John Wayne (symbols of the establishment).
5. Disdain for non-heroes such as Fidel Castro, Eldridge Cleaver, George Wallace and Ho Chi Minh (symbols of the radical extremes of both left and right.).
6. Expression of middle of the road politics as contrasted with conservative, liberal, or radical views.
7. Two to one Democratic over Republican and 40 percent uncommitted.
8. Professed some confidence in the Government to solve the problems of the '70's (75% Yes.).
9. Sixty-six percent against school busing to achieve racial balance.
10. Against guaranteeing an annual income (60% against).
11. For penalizing air and water polluters (90%).
12. Satisfied with education received so far (84%).
13. Against legalization of marijuana (Overall: Against 63%, but high school students against 70% and college students For 53%).
14. Enjoyment of sex for its own sake (Overall: No 44%, Yes 40%; but college students alone, Yes 53% and No 44%).
15. Right of individual girl to have an abortion (Yes 46% and No 45%).
16. Acceptability of premarital sexual relations in the following circumstances:

	High School	College
Dating casually	No 78%	No 68%
Going steady	No 69%	No 51%
Planning to marry	No 57%	Yes 52%
Formally engaged	Yes 45%	Yes 72%

17. Freedom for divorce for unhappiness (Overall: Yes 62%, Catholics only: Yes 57%).

18. The Bible was cited by almost a three to one ratio as the one book that influenced their lives.

19. Movies seen that reflect their own outlook on life: "Easy Rider mentioned twice as often as any other movie followed by "Woodstock," "Getting Straight," and "M*A*S*H."

Source: "A New Youth Poll," LIFE, 8 January 1971, pp. 22-30.

APPENDIX B

GALLUP POLL: STUDENT'S ANTI-BUSINESS BIAS

"How would you rate the honesty and ethical standards of the people in these different fields - very high, high, average, low, or very low?"

	High	Average	Low	No opinion
College teachers	70%	28%	2%	-
Medical doctors	66	28	5	1
Engineers	58	40	1	1
Psychiatrists	50	37	10	3
Journalists	49	43	8	-
Lawyers	40	42	18	-
Building contractors	21	56	23	-
Business executives	20	59	21	-
Labor union leaders	19	48	32	1
Political officeholders	9	38	53	-
Advertising practitioners	6	40	54	-

"Some people say that business is too much concerned with profits and not enough with public responsibility. Do you agree or disagree?

Agree	87%
Disagree	11%
No opinion	2%

"Do you think the government should place stricter controls on business?

Yes	62%
No	35%
No opinion	3%

"Would you favor or oppose a government policy of breaking up the big companies of the nation into smaller companies?"

Favor	54%
Oppose	39%
No opinion	7%

"Do you tend to agree with those who favor greater government regulation and control of business or those who oppose greater government intervention?"

Favor	56%
Oppose	39%
No opinion	5%

Source: "GALLUP POLL: STUDENT'S ANTI-BUSINESS BIAS." San Francisco Chronicle, May 20, 1975, p. 17:1.

APPENDIX C

A Hypothetical Case Study on School Busing as a Solution to the Problem of Providing Equality of Opportunity in Education

PROBLEM: Predominantly nonwhite inner-city schools provide inferior educational opportunities compared to predominantly white inner-city schools.

SOLUTION: 1. Assumptions: a. Nonwhite students do not receive educational opportunities equal to white students because of a racial imbalance in the schools.

b. Economically advantaged families would not object to the mixing of their children with the children of disadvantaged families in public schools.

2. Goal: To provide equal educational opportunities to all public school students.

3. Policy: Apportion white and nonwhite students between inner-city schools in order to establish racial distributions, i.e., racial quotas for each school would be implemented.

RESULTS: 1. Court-ordered busing, where attempted, has failed to achieve better educational opportunities for the inner-city nonwhite students.

2. White students have moved with their families out of the inner-city to the suburbs.

3. Whites and nonwhites became angry and dissatisfied further exacerbating social unrest.

OBSERVATIONS:

1. White and nonwhite students voiced dissatisfaction with time wasted in busing back and forth between home and distant schools.

2. White family hostility was expressed towards court-ordered busing plans with a resultant loss of respect for legislative and judicial processes.

3. White-flight (and affluent nonwhite flight) from the inner-city to the suburban areas was exacerbated resulting in a loss of affluence and tax revenues from the inner-city.

4. A higher level of racial segregation in the inner-city schools resulted from the white-flight to the suburbs.

5. Educational opportunities declined in all inner-city schools because of the loss of tax revenues.

6. Inner-city nonwhites became disillusioned with busing as a solution to the problem of unequal educational opportunities and there resulted a further loss of respect for legislative and judicial processes.

7. In summary, the problem was not solved and both whites and nonwhites became even more dissatisfied with society's ability to solve their problems.

ANALYSIS: 1. The problem was correctly defined and the goal, if attained, would have solved the problem.

2. Both assumptions were incorrect and led to the formulation of a faulty policy and a plan doomed to failure. Racial balance does not ensure educational improvement and higher economic classes do not like to be forced to mix with the lower economic classes--be they white or nonwhite.

3. A more correct assumption would have been: there exists an economic class distinction between the students at educationally inferior, predominantly nonwhite schools and the educationally superior, predominantly white schools. It was the economic imbalance rather than the racial imbalance that caused the differential in educational excellence. White and nonwhite lower economic class students expected less, demanded less, and received less than the higher economic class students. The whites at the predominantly nonwhite schools suffered the same consequences from an inferior educational opportunity as the nonwhites did.

4. Based on this assumption, the logical policy would have been to improve the individual predominantly nonwhite schools, e.g., provide better buildings, equipment, teachers, books, food, and counselling, rather than shift students around.

Upgrading of the inferior schools may not have solved the racial imbalance problem but it would have met the goal of providing equal educational opportunities to all public school students.

5. Two side benefits of this plan might have been the slowing of the affluent-flight to the suburbs, thus leaving the tax revenues in the city to improve all of the city's schools and a possible voluntary integration of the schools if the more affluent families perceived that a better education could be obtained for their children at a predominantly non-white school.

Source: The case study was suggested by an editorial, "Public Policies and Idealism," in The Wall Street Journal, May 20, 1975, p. 20:1.

APPENDIX D

BRIEFS FILED WITH THE U. S. SUPREME COURT IN THE CASE OF DE FUNIS V. ODEGAARD, NO. 73-235 [De Funis, p. 4589]

(18) For The University of Washington

- State of Ohio
- City of Seattle
- American Bar Association
- American Law Schools Assn.
- American Medical Colleges Assn.
- Lawyer s Committee for Civil Rights Under Law
- National Conference of Black Lawyers
- President & Fellows of Harvard College
- Center for Law & Education, Harvard U
- Board of Governors of Rutgers & Student Bar Assn. of Rutgers School
- Group of 60 law school deans
- NAACP Legal Defense and Educational Fund, Inc.
- Council on Legal Educational Opportunity
- Legal Aid Society of Alameda Cty., at the NAACP
- American Indian Law Students, Assn., Inc., & American Indian Lawyers Assn., Inc.

(8) For De Funis

- AFL-CIO
- Committee on Academic Nondiscrimination & Integrity
- Jewish Rights Council
- Advocate Society, American Jewish Committee, Joint Civic Committee of Italian Americans & Unico National
- Anti-Defamation League of B'nai B'rith
- American Jewish Congress
- National Association of Manufacturers of the United States
- Joseph Diamond (Lawyer) for Petitioners (MARCO De Funis, et. al.)

(18) For The University of Washington (Cont'd)

- Mexican American Legal Defense & Education Fund & 11 other organizations
- National Organization for Women Legal Defense & Education Fund, Inc., & Nat'l Education Assn.
- State of Washington for Respondents (Charles Odegaard, President of the University of Washington)

APPENDIX E

Abt ASSOCIATES, INC., SOCIAL BALANCE SHEET

SOCIAL ASSETS AVAILABLE
Staff
  Available within one year (Note 1)
  Available after one year (Note J)
  Training investment (Note K)

  Less Accumulated Training Obsolescence (Note K)

    Total Staff Assets

Organization
  Social Capital Investment (Note L)
  Retained Earnings
  Land
  Buildings at cost
  Equipment at cost
    Total Organization Assets

Research
  Proposals (Note M)
  Child Care Research
  Social Audit
    Total Research

Public Services Consumed Net of Tax Payment (Note E)
Total Social Assets Available

Social Commitments, Obligations and Equity
Staff
  Committed to Contracts within one year (Note N)
  Committed to Contracts after one year (Note O)
  Committed to Administration within one year (Note N)
  Committed to Administration after one year (Note O)
    Total Staff Commitments

Organization
  Working Capital Requirements (Note P)
  Financial Deficit
  Facilities and Equipment Committed to Contracts
    and Administration (Note N)
    Total Organization Commitments

Environmental
  Government Outlays for Public Services Consumed
    Net of Tax Payment (Note E)
  Pollution from Paper Production (Note O)

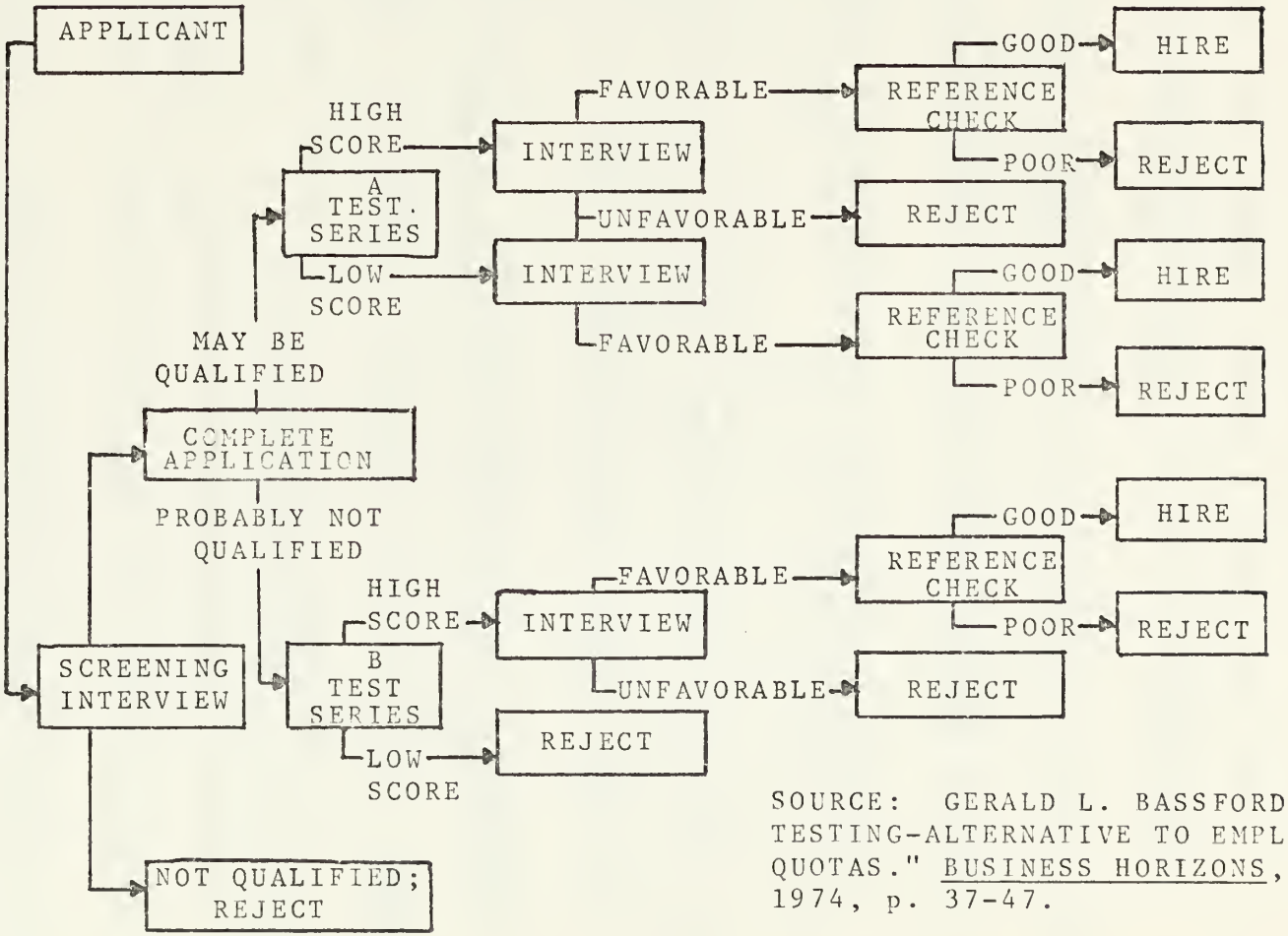
Pollution from Electric Power Production (Note R)
Pollution from Automobile Commuting (Note S)
Total Environmental Obligations
Total Commitments and Obligations

Society's Equity
Contributed by Staff (Note T)
Contributed by Stockholders (Note U)
Generated by Operations (Note V)
Total Equity
Total Commitments, Obligations and Equity

Source: "The first attempts at a corporate 'Social Audit,'" Business Week (September 23, 1972), pp. 88-91.

APPENDIX F

HYPOTHETICAL EXAMPLE OF A MULTIPLE PREDICTOR SEQUENTIAL PROCESS OF EMPLOYEE SELECTION



SOURCE: GERALD L. BASSFORD, "JOB-TESTING-ALTERNATIVE TO EMPLOYMENT QUOTAS." BUSINESS HORIZONS, FEB. 1974, p. 37-47.

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